

CITY COUNCIL, CITY OF LODI
COUNCIL CHAMBER, CITY HALL
JUNE 5, 1957

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, June 5, 1957: Councilmen Fuller, Katzakian, Mitchell, Robinson, and Hughes (Mayor) present; none absent. City Manager Weller and City Attorney Mullen also present.

Minutes of May 15, 1957 were approved as written and mailed on the motion of Councilman Katzakian, Mitchell second.

PUBLIC HEARING

ANNEXATION OF HAM LANE ANNEX Mayor Hughes called for the public hearing on the proposed annexation of the Ham Lane Annex. The City Clerk reported that there had been no objections to the annexation filed with him; however, he did receive a letter dated May 6, 1957, from Dr. H. C. Harris, owner of property within the addition. Dr. Harris stated in his letter that he did not object to the annexation of his property to the City, but he asked that provisions be made for the continuance of his animal hospital as a professional office and that it be allowed to serve the community as the need arises. Mayor Hughes called for objections from the audience and when none were received, Councilman Robinson moved the introduction of Ordinance No. 592, approving the annexation of the Ham Lane Annex. The motion was seconded by Councilman Katzakian and introduced by unanimous vote.

ORD. NO. 592
INTRODUCED

CITY PLANNING COMMISSION

PLANNING COM- The City Manager read a memorandum from the
MISSION ITEMS Planning Director covering the following
actions by the Planning Commission at its
meeting of May 27, 1957:

(1) The Commission denied the request of Mr. Charles C. Coon for the rezoning of Lots 54, 55, and a portion of Lot 56 of the Knoll Subdivision from R-3 to C-1.

(2) It recommended approval of the rezoning request from Albert Dais covering the south 40 feet of Lot 18, Crescent Manor Subdivision. The Planning Commission recommended a rezoning from R-3 to R-4. On the motion of Councilman Katzakian, Fuller second, the City Council set June 19, 1957 for public hearing on the rezoning request.

(3) The Commission submitted a recommendation for the Council's approval increasing the width of pavement for Pine Street east of Cherokee Lane from 38 feet to 48 feet. Since the Master Plan provided for a 38-foot pavement on East Pine Street, the City Council referred the matter back to the City Planning Commission for public hearing and amendment to the Master Plan on the motion of Councilman Mitchell, Fuller second.

ANSHUTZ APPEAL
WITHDRAWN

The City Clerk presented an appeal from Mrs. Anshutz to the action by the City Planning Commission rejecting her request for a variance to the non-conforming use of a structure owned by her and located on the southeast corner of Oak and Garfield Streets. Mrs. Anshutz addressed the City Council from the audience to state that the appeal could be withdrawn because she had now lost the tenant for which the variance was requested. Mrs. Anshutz also requested information relative to the proper procedure of obtaining a new tenant for her building. City Attorney Mullen suggested that the Planning Director notify Mrs. Anshutz regarding the authorized uses for her structure. The City Manager also suggested that Mrs. Anshutz discuss the condition of the structure with both the Planning Director and the Building Inspector.

COMMUNICATIONS

INTERNATIONAL
CITY MANAGERS
CONFERENCE

A letter from the International City Managers Association, dated June 1, 1957, informing the City Council that the Conference of the International City Managers Association is to be held in Washington D. C., October 20 to 24, 1957, and requesting the City Council to authorize the attendance of the City Manager at this meeting.

FESTIVAL RE-
QUEST TO IM-
PROVE NORTH
RAMP AT STADIUM

A letter dated May 24, 1957 from the Lodi Grape and Wine Festival explaining that the north ramp leading to Lodi Stadium has a sharp pitch which makes it difficult or impossible for some of the floats in the festival parade to get in and out of the Stadium. The Festival asked that more dirt be added to the ramp to make the present ramp useful to the parade floats. The City Clerk reported that the letter had been referred to the Recreation Director who replied that the ramp in question is a temporary ramp constructed by the people using the Stadium for auto racing. This ramp serves the purpose of the auto racing people, but it could cause difficulty for floats using it. He estimated the cost of renovating the ramp to be at least \$200. He also stated that the ramp would be of no particular benefit for his department. The work would be done solely for the benefit of the Festival. Councilman Robinson stated that he felt that it would be worthwhile to approve the request of the Festival since with the expenditure of a small amount of money it would make its use by the floats in the parade easier. Councilman Mitchell then moved, Fuller second, to approve the reconstruction of the ramp in the Stadium as requested by the Grape and Wine Festival. The motion passed by the following vote:

AYES: Councilmen - Fuller, Mitchell, Robinson and Hushes

NOES: Councilmen - Katzakian

ABSENT: Councilmen - None

NORTHERN SAN
JOAQUIN SAFETY
COUNCIL TRAFFIC
STUDY

A letter from the Northern San Joaquin County Safety Council, dated May 22, 1957, informing the City Council that it has undertaken a considerable study with respect to traffic conditions within the City of Lodi. The Board of Directors of the Safety Council thereby submits the following recommendations for the City Council:

"1. That vehicles with increased horsepower to enable proper pursuit be purchased for the police department.

"2. That a minimum of six men be added to the staff of the police department. This would, in effect, add 3.7 men, or one man per shift, due to vacations, illness and other reasons.

"3. That all angle parking in the city be eliminated, except where special provisions or adequate facilities have already been made, e.g., the new campus of the High School. National Safety Council studies have consistently indicated that angle parking is an extremely hazardous method and they have long advocated its abolition.

"4. That Pleasant and Lee Streets be designated as a one-way street couplet from Lodi Avenue to Lockeford and Locust Streets respectively, and that these streets have parking only on one side of the street.

"5. That consideration be given to the use of alley approaches and restricted parking areas for bus stops.

"6. That the City Administration be commended for beginning the widening of Lodi Avenue between School Street and the Southern Pacific right-of-way. This has long been needed."

On the motion of Councilman Mitchell, Robinson second, the letter was ordered filed for future study.

H. BOTTS RE-
QUEST FOR COM-
PENSATION OF
PROPERTY DE-
VALUATION

A letter from Harold Botts, dated April 12, 1957, stating that he owns property on the north side of Lodi Avenue (northwest corner of Lodi Avenue and Pleasant Avenue). Mr. Botts stated that he has his residence on the market, and over the past five years has received inquiries from fifty prospects interested in purchasing his property as a business location. He reported that the prospects have all lost interest after learning that the City has established a set-back line along the north side of Lodi Avenue for future widening. Mr. Botts asked that the City secure its right-of-way as soon as possible and that he be compensated for the devaluation of his property caused by the City's plans. He pointed out that Mr. Baker received compensation for a similar situation when the street was widened at the

corner of Lodi Avenue and Church Street. Councilman Robinson stated that he sympathized with Mr. Botts' situation and pointed out that a similar problem will be created for other properties abutting Lodi Avenue in the immediate vicinity. Action on the request was deferred for future discussion after investigation and study.

ZABALA CLAIM The City Clerk presented a claim for damages from Frank Zabala, 8756 North Highway 99, Stockton, California. In the claim received by the City Clerk on May 23, 1957, Mr. Zabala claims damages of \$40,000.00 for alleged injuries received at the City dump grounds on March 21, 1957. The claim was rejected and referred to the insurance carrier.

ABC LICENSE Application for transfer of Alcoholic Beverage License for On Sale General to Lawrence M. Niland and Lila G. Niland, the Spot Club, 220 N. Cherokee Lane.

ABC LICENSE Application for transfer of Alcoholic Beverage License for On Sale Beer & Wine, for Esther Brown and Oliver Brown, Brownie's Club, 121 N. Sacramento Street.

ABC LICENSE Application for transfer of Alcoholic Beverage License for On Sale Beer & Wine to Elias Lopez, Lido Club, 18 S. Main Street.

ABC LICENSE APPLICATION FOR GRAPE BOWL Application for Alcoholic Beverage License for On Sale Beer at the Lodi Grape Bowl. This application was referred to the City Attorney at his suggestion to investigate the effect of granting this application on the use of the Bowl by minors.

REGIONAL WATER POLLUTION CONTROL BOARD LETTER Letter from the Regional Water Pollution Control Board, Dated May 23, 1957, informing the City Council that the office had inspected the discharge from the Lodi Sewage Plant and found that the discharge is currently meeting the Board's requirements.

REPORTS OF THE CITY MANAGER

CLAIMS Claims in the amount of \$94,446.17 were approved on the motion of Councilman Katzakian, Fuller second.

ELIMINATION OF DIAGONAL PARKING ON W. ELM ST. BETWEEN CHURCH ST. AND LEE AVE. The City Manager presented a recommendation from the City Engineer for the elimination of diagonal parking on West Elm Street between Church Street and Lee Avenue. The City Engineer stated that diagonal parking is considered by all traffic and safety authorities an unsatisfactory procedure. The accepted minimum pavement width for diagonal parking is 70 feet. He pointed out that Elm Street at this point is only 50 feet in width and that parking is being provided at the expense of safety and at the expense of traveling smoothly on a major through street. In his memorandum he reported that the Engineering Department had made 100 counts of

parking at these locations. The survey disclosed that the average percentage of occupancy is 11.7% between Church Street and Pleasant Avenue and 13.3% between Pleasant Avenue and Lee Avenue. The maximum percentage of occupancy during the time of the 100 counts was 12.5% between Church Street and Pleasant Avenue and 31% between Pleasant Avenue and Lee Avenue. He observed that this last figure indicates that the parking is not being used by persons shopping, but by residents in the area. He reported that based on parallel parking and the same occupancy found during the 100 traffic counts, the average occupancy between Church Street and Pleasant Avenue would be 18.7% and 21.4% between Pleasant Avenue and Lee Avenue. The maximum percentage of occupancy would be 20% between Church Street and Pleasant Avenue and 50% between Pleasant Avenue and Lee Avenue. He observed that the retention of angle parking on Elm Street cannot be justified on the basis of parking needs. He recommended that diagonal parking be eliminated on Elm Street and stated that the Chief of Police heartily concurs in this recommendation. Councilman Katzakian stated that since Elm Street had been designated on the Master Street Plan as a through street, he moved that diagonal parking on the street be eliminated between Church Street and Lee Avenue. The motion was seconded by Councilman Fuller. Councilman Robinson reminded the City Council that this same recommendation had been made to the City Council previously and that on February 20 of this year, the Council had adopted an ordinance eliminating diagonal parking on Stockton Street, but had retained the diagonal parking on Elm Street. He felt the Council had taken action on the matter, and he expressed himself as still being opposed to elimination of diagonal parking on Elm Street until such time as the downtown parking district is in effect. Councilman Mitchell stated that he believed the designation of Elm Street as a through street would be a mistake. He objected to the location of stop signs on Hutchins Street and Elm Street. He thought the signs should be reversed to stop traffic on Elm Street at Hutchins. He further observed that there is more traffic on Lockeford Street than there is on Elm Street. Councilman Katzakian pointed out that the Council has a recommendation from the City Engineer and the Chief of Police that the elimination of diagonal parking be eliminated both from traffic and safety standpoint. He felt the saving of one accident would be worth the change. He restated his motion to introduce Ordinance No. 593, eliminating diagonal parking on Elm Street. Ordinance No. 593 was then introduced by the following vote:

ORD. NO. 593
INTRODUCED

AYES: Councilmen - Fuller, Katzakian, Mitchell and Hughes

NOES: Councilmen - Robinson

ABSENT: Councilmen - None

Mayor Hughes requested that a study be made by the Planning Commission on the matter of relocation of stop signs at Elm and Hutchins Streets.

PRIDEAUX
REQUEST

The City Manager presented a request from Mr. and Mrs. Roy E. Prideaux, owners of the Giant Frosty, 241 South Hutchins Street. The request was for permission to install a 30-foot driveway in connection with the new parking lot being developed on the property adjoining the Giant Frosty. Mr. Prideaux explained that he is trying to provide more parking space off street, and that if the request is cleared the same amount of parking space will remain on the street as existed at the time when the drive-in maintained two, 20-foot driveways. He also pointed out that at the present time there is still a residential driveway on the property which is being converted to the parking lot. Mr. Weller reported that the request had been submitted to the City Engineer, who recommended that a 20-foot driveway be approved. He explained that increasing the width of the driveway more than 20 feet would eliminate one parking space on Hutchins Street. He also pointed out that the Giant Frosty has an 18-foot driveway on the south side of their property and they have access to the property from the alley in the rear. Mr. Rodgers, the Planning Director, explained the matter had been before the Planning Commission and the Commission had recommended a 20-foot driveway on the basis that this would give sufficient access to the parking lot and at the same time maintain the amount of parking on Hutchins Street where the demand for parking is unusually high. Councilman Mitchell stated he felt the request was reasonable and that the request of Mr. Prideaux should be granted, since he was undertaking to provide off-street parking and thereby reduce the demand for parking on Hutchins Street. The recommendation of the City Engineer to limit the driveway width to 20 feet was approved on the motion of Councilman Robinson, Katzakian second. The motion was approved by the following vote:

AYES: Councilmen - Fuller, Katzakian, Robinson and Hughes

NOES: Councilmen - Mitchell

ABSENT: Councilmen - None

SPECS FOR
STREET MATERIALS
APPROVED

The City Manager presented specifications for street maintenance materials to be used in the street maintenance program for the balance of the calendar year. Specifications were approved on the motion of Councilman Katzakian, Fuller second.

FOCACCI AND
BALCONI DEED
TO CITY

Mr. Weller presented a deed obtained from Rose L. Focacci, Mary Beronio Balconi, and Leslie Desmond Focacci for additional right-of-way on the north side of Lockeford Street between Church and Pleasant Streets. He explained that this deed had been secured after long negotiations, and would provide the land necessary for widening this portion of Lockeford Street. The grantors stipulated the conditions under which the grant is to be made, as follows:

(1) The cost of widening includes pavement, curb, gutter and sidewalk and is to be installed at no expense to the grantors.

(2) It is to be understood that the curb, gutter and sidewalk between Pleasant Avenue and the west line of the Tokay Oil Company service station will be installed during the calendar year of 1957, and that curb, gutter, and sidewalk on the south side of the service station will not be installed until such a time as they are required in the opinion of the City of Lodi and the property owners, or if in the opinion of the City Council, such improvements are required for safety reasons. If and when such installations are made, they will be made at the sole expense of the City of Lodi.

(3) In the event that the City Council finds that its ultimate needs for street improvements, including sidewalks, do not require the full amount of the present right-of-way at the northwest corner of Church and Lockeford Streets, the City abandon the excess right-of-way to the grantors or their successors in interest, and that such abandonment be at the expense of the City of Lodi. The sellers also made demand for \$50 for the deed. Councilman Katzakian then moved that the deed be accepted under the conditions stipulated by the grantors and that \$50 be paid as consideration for the grant. The motion was seconded by Councilman Mitchell and adopted by unanimous vote.

CENTRAL CALI-
FORNIA TRAC-
TION CO. DEED

The City Manager presented a memorandum from the City Engineer stating that the Central California Traction Company still owns a small triangular parcel of ground at the northeast corner of Sacramento Street and Lodi Avenue. It is desirable that the City acquire this parcel of ground, part of which would be involved with the widening of Lodi Avenue between School and Main Streets. The Traction Company suggested that as a consideration for the deed of this parcel to the City, the City grant the Traction Company permission to leave undisturbed the tracks located in Lodi Avenue between Main Street and the Southern Pacific right-of-way. The Traction Company would then pave over the tracks at their own expense. The City Engineer recommended that this suggestion be accepted by the City Council.

On the motion of Councilman Mitchell, Katzakian second, the City Council approved the recommendation of the City Engineer to accept the deed for the triangular parcel from the Central California Traction Company and in exchange to permit the Traction Company to pave over the railroad tracks on Lodi Avenue as requested. The motion passed by unanimous vote.

BIDS FOR LODI
AVENUE WIDENING

The City Manager presented tabulation of bids for the reconstruction and widening of Lodi Avenue between School and Main Streets. Two bids were received for the project as follows: Rice Brothers, \$20,062.79 and Claude C. Wood Company, \$13,889.55. Mr. Weller explained that the City Engineer's estimate was \$12,123.25. The low bid by Claude C. Wood Company exceeds the estimate of the City Engineer by more than 10%. Mr. Weller pointed out that the difference in both bids and the City Engineer's estimate was in one item which provides for the clearing and removal of the trees. Both bids were considerably higher than the City Engineer's estimate for this item. The City Engineer recommended that the award be made to Claude C. Wood Company despite the fact that the low bid exceeds the estimate by approximately 14½%. He pointed out that approval must be secured from the Division of Highways for the project since the estimate did exceed the bid by more than 10%. He stated he did not believe re-advertising would result in a lower bid. Resolution No. 2029, awarding the contract to Claude C. Wood Company, subject to the approval of the award by the Division of Highways, was adopted on the motion of Councilman Mitchell, Robinson second.

RES. NO. 2029
ADOPTED

ANNEXATION OF
BLAZER ADD.

ORDINANCE NO. 590, ENTITLED, "APPROVING THE ANNEXATION OF THE BLAZER ADDITION TO THE CITY OF LODI AND DECLARING THAT THE SAME IS ANNEXED TO AND MADE PART OF THE CITY OF LODI", having been introduced at the May 15, 1957 meeting, was brought up for passage on the motion of Councilman Katzakian, Fuller second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

ORD. NO. 590
ADOPTED

AYES: Councilmen - Fuller, Katzakian, Mitchell, Robinson and Hughes

NOES: Councilmen - None

ABSENT: Councilmen - None

Ordinance No. 590 was then signed by Mayor Hughes in approval thereof.

ANNEXATION OF
FAITH TABER-
NACLE ADD.

ORDINANCE NO. 591, ENTITLED, "APPROVING THE ANNEXATION OF THE FAITH TABERNACLE ADDITION TO THE CITY OF LODI AND DECLARING THAT THE SAME IS ANNEXED TO AND MADE PART OF THE CITY OF LODI", having been introduced at the May 15, 1957 meeting, was brought up for passage on the motion of Councilman Robinson, Mitchell second. Second

ORD. NO. 591
ADOPTED

reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Fuller, Katzakian, Mitchell, Robinson and Hughes

NOES: Councilmen - None

ABSENT: Councilmen - None

Ordinance No. 591 was then signed by Mayor Hughes in approval thereof.

REQUEST TO
IMPROVE OLD
BATHS AREA FOR
PLAY YARD

Mr. Riney Bender addressed the City Council to explain that as a representative of the Boy Scout Center Association, he was requesting that the City Council authorize the improvement of the old baths area in Hale Park as a play area. He explained that the Scout Center has under consideration the leasing of the Scout Center to the Peter Pan School, presently located behind the Lutheran Church. Lease to the school depends on the securing of an adequate play area for use by the retarded pupils. The City Manager explained to the City Council that the request had been considered by the Recreation Commission which recommended development of the old baths area with black top, provided that the City can secure provisions to hold the City harmless from liability from its use by the Peter Pan School. Fire Chief George Polenske addressed the City Council from the floor and stated that, whereas he was in favor of helping the Peter Pan School and the Boy Scout Center, he had to point out that he and the Fire Prevention Inspector had inspected the Boy Scout Center and in order to develop this for use in housing pupils, the building would have to meet minimum standards for that type of structure. He cited as problems a need for better lighting and fire resistant walls. The matter was then referred to the City Manager for study and recommendation.

FIRE HOUSE
LOCATION
DISCUSSION

Mayor Hughes reported that he had received letters relating to the location of the Fire House from the Board of Fire Underwriters and from the Fire Chief. Both of these were read by the City Clerk. Mayor Hughes then called upon Councilman Fuller to express his views regarding the firehouse location.

Councilman Fuller stated that the proper location for the firehouse was a technical matter on which he did not feel he had a large amount of knowledge. However, the City Council sought competent advice wherever possible, particularly from the Board of Fire Underwriters. After several meetings with the Board of Fire Underwriters, the City Council learned that the Board felt the City of Lodi, as shown in the Master Plan, would be covered satisfactorily with two firehouses properly located. He stated that it was his belief

that the recommendations of the Board of Fire Underwriters should be followed. They have demonstrated with the recommendation that coverage can be secured in the high value areas, and since their recommendation states the firehouse should be located in the southwest and northeast sections of the City, he was prepared to accept their recommendation.

Mayor Hughes then called upon Councilman Katzakian who stated that on the basis of the recommendations of the Board of Fire Underwriters, two fire houses were sufficient if placed properly. He stated that he believed it would be more expensive to operate three firehouses than two because of the added cost of maintenance and upkeep. He stated the Board of Fire Underwriters had explained their recommendations fully and that he felt he had a good grasp of the situation at this time. He added that he was confident the Board of Fire Underwriters had taken into account all factors involved in locating firehouses, including location of the high value areas. He concluded by stating he was prepared to go along with the recommendations of the Board of Fire Underwriters.

Mayor Hughes then called upon Councilman Mitchell who explained that he had submitted a letter to the Mayor outlining his views which he requested be read by the City Clerk after making preliminary comments himself. He then stated that he had never heard of a recommendation for the location of the fire house in the northeast section of the City and that at the last meeting held between the Board of Fire Underwriters and the City Council he heard for the first time the recommendation that the fire house be located at the corner of Hutchins and Tokay Streets. The City Clerk then read Councilman Mitchell's letter dated May 17, 1957, which stated that he believed the recommendations of the Fire Chief should go a long way in helping the Council make its decision. He explained that he does not agree with the suggestion of the Board of Fire Underwriters that the City sell bonds and build two fire stations at the same time. He favors building one at a time and paying for it out of the money accumulated in the Capital Outlay Reserve Fund. He stated that he was in favor of building the first fire house on the Emerson School ground property which the City now owns. Possibly within the next ten years the City can build a third fire house in the vicinity of the proposed Highway 12 railroad underpass. This fire house would serve both the east and west sides of the Southern Pacific right-of-way and any development that would take place in this area. He stated he believed the Board of Fire Underwriters agreed with this thinking. He pointed out that if the Council builds the first firehouse south of Lodi Avenue, it will leave the high value district lying north of Lodi Avenue where a greater percentage of fires occur. He pointed out that south of Lodi Avenue there are narrow north-south streets, with the exception

of Church and Hutchins Streets, and Lodi Avenue is one of the most travelled streets in the City. He recommended that the Maple Square fire station remain as it is until such time as a new third station could be built. He stated, further, that the Council has delayed in building the fire house for the past two years. In the meantime building costs have risen and it is his assumption that a new firehouse will cost from five to ten thousand dollars more. He stated that he thought the Council should ask for plans and specifications as soon as possible. He concluded in his letter by stating he felt the plans should wait for the relocation of the Main Street fire station at least for another year at which time a new look could be taken at the possible development east of the Southern Pacific railroad tracks.

Mayor Hughes then called on Councilman Robinson to state his views. Councilman Robinson requested that the City Clerk read his letter, dated May 24, 1957, submitted to the Mayor. In his letter Councilman Robinson stated that after the discussion with the Board of Fire Underwriters and after reviewing the whole matter, he is more convinced than ever that the Emerson School grounds is the proper location. He cited the following reasons to support his belief:

- (1) It meets the running time requirements to the present high value district, the present new commercial and residential districts and gives better coverage along major streets than any other proposed location. Duplicate coverage with the present Main Street station for the "High Value" district is an asset, and no location demerits nor demerits for probable delay in response should be charged for this station.
- (2) Regardless of future developments in other sections of the city, a station near this site will always be desirable.
- (3) The Main Street station should eventually be changed. Relocation at this time is not essential nor financially practical. Industrial development east of the tracks is in such a state of flux that the location of the firehouse in this area can not be foreseen at this time.
- (4) He saw no disadvantage in eventually erecting the third fire station, if industrial development takes place, along the Southern Pacific Railroad tracks south of Lodi Avenue as provided in the Master Plan. At the time this development takes place an underpass at the Kettleman Lane crossing probably should be built. It would give coverage through the underpass to the Barnhart Area, including new industrial plants, the Academy, etc., as well as residential areas to the west and

south. He stated the Council had been assured that it would cost no more to house X number of pieces of equipment and men in three houses than in two houses. The only additional cost will be the erection of the third house. To discard the Emerson lot now would necessitate the purchase of another site and this amount could be used to acquire the proposed "Church and Kettlemen vicinity" lot if and when it is needed. When the City grows sufficiently to justify this construction, better service can be given from three neighborhood houses than from two farther away.

(5) A station located at Hutchins and Tokay, while not calling for demerits from a purely "location" basis (nor would Emerson), would call for demerits as suggested in Mr. Young's letter in his reference to paragraph 32(b) in their schedule. Surely "probable delay in response" would accrue in bringing equipment along the narrow, congested streets and crossing Lodi Avenue traffic (fast becoming the greatest in the City). The majority of the calls as shown by the Chief's report are north of Lodi Avenue. Very shortly we shall be purchasing a ladder truck and he could not envision housing it in this location nor east of the tracks due to existing fire hazards in the downtown district.

(6) A prompt decision should be made. The years that this development has been delayed have added materially to the eventual cost due to advancing prices of construction. We can build on Emerson immediately. To purchase another site will not only add to the cost but will delay further the date of construction, thus adding further advances.

Councilman Robinson then referred to the letter from the Board of Fire Underwriters dated May 13, 1957, Paragraph 8(c) specifically, in which the Board states that the fire house location south of Lodi Avenue meets the requirements of the Fire Department item 32 (b) equally as well as the Emerson School site with respect to the response to all high value areas. Councilman Robinson stated that the Board had taken snap judgement on this item by looking at the location but not at the possible delay in response. He pointed out that on one occasion the Board had suggested moving the Maple Square Station 90° to front on Sacramento Street. They have since admitted it to be a mistake and have several times recommended against this move. He pointed out that they have not taken into consideration the width of streets and the problem of crossing Lodi Avenue. He stated he thought the City would receive demerits for a location south of Lodi Avenue. He again pointed out that development was taking place in the west section of the City including the construction of the new high school, the new elementary school and the new elementary school being constructed by the Woods School District, and the commercial development at the Hame Lane-Lockeford Street

intersection. He stated he could not see how these structures could be covered as well from a location south of Lodi Avenue. He stated that as Mayor he received a reply from the Board of Fire Underwriters on May 21, 1956. They replied to his question as to whether the City would be penalized if they placed a firehouse outside of a three-quarter mile run from the General Mills plant, bearing in mind the type of construction and the built-in fire protection features. This letter from the Board stated that there would be no penalty for the General Mills plant as long as its present superior construction is not changed. He stated this pinpointed the need for a station at Emerson School, and when the City purchased Emerson School it was in the back of our minds to use it for that purpose. He then pointed out that the recommendation of the Fire Chief, who knows the area better than anyone else, was for a fire house located at Emerson School.

Mayor Hughes then stated that the City of Lodi operates under a City Manager form of government. He felt that the important facts and important theme are missing in this controversy. He stated that he felt the question was whether the Council was going to go over all details when it employed a competent staff to do this work for the Council. He felt the technical details should be incorporated in reports submitted to the Council by the staff. He stated that he has spent four hours going over the complete files accumulated on the question of the fire house location and there was a tremendous amount of information to be gained by this type of investigation. He called attention to the recommendations by the Board of Fire Underwriters in the letter of May 13, 1957.

Mayor Hughes then called attention to the letter submitted by the Fire Chief, dated June 3, 1957, and particularly to two paragraphs of that letter referring in the derogatory sense to two unnamed individuals. He stated that whereas he considered the Chief to be a friend of his, he did not think that these two paragraphs could be passed over without comment. This type of statement he felt should not be allowed to enter into the Council's discussion because it makes the discussion difficult. He particularly pointed to the final statements of the Chief's letter where he refers to unidentified individuals, illustrating the Chief was striking at someone, but no one knows whom. He stated that in his opinion the Fire Chief should withdraw these paragraphs. He then reminded the City Council that it holds the City Manager responsible for the actions of the Fire Chief and all other department heads. If the City Council starts taking up directly the projects of each department head they are in for trouble.

He urged that the Council get the question back into focus. He pointed out that whereas the Chief had a right to file his views, he felt that this letter had gone beyond reason. He felt it hard to discuss the matter tonight under the circumstances. He then referred to a statement from the Fire Chief's annual report explaining that the Fire Chief is accountable to the City Manager for the operations in his department. He then asked the City Manager if he had received a copy of the Fire Chief's letter of June 3, 1957. The City Manager reported that he had not. The Mayor then suggested that due to the circumstances he felt they should narrow the question as to whether the recommendation of the Board of Fire Underwriters should be accepted or rejected. He also stated that he felt the manner in which decisions are reached is often more important than the decision itself.

Councilman Katzakian again referred to the two paragraphs of the Fire Chief's letter, particularly the last paragraph which he thought was uncalled for. He also pointed out that Councilman Robinson favors the duplication of coverage for the fire houses, whereas he felt this would be a waste of the taxpayers money. He then moved, Fuller second, that the recommendation of the Board of Fire Underwriters to locate a fire house in the area bounded by Lodi Avenue, Sacramento Street, Tokay Street and Hutchins Street be accepted.

Fire Chief Polenske addressed the City Council to state that a week or so ago he had been notified that the matter of fire house locations was to be discussed at the meeting this evening. He asked why this item had not been publicized in the newspaper. The reporter from the "News-Sentinel" explained that he took the responsibility for this as an oversight of his part. The Chief then stated that he wished to discuss several points: That a record of recent calls demonstrated that the majority of responses are in the northwest quadrant of the City, the quadrant being formed by the Southern Pacific railroad tracks and Lodi Avenue. He stated that there was not one call in the southwest quadrant in the last week. He then reviewed letters from the Board of Fire Underwriters from 1953 to 1955, which he believed were in contradiction. He stated that he had little confidence in the Board of Fire Underwriters being able to recommend proper fire house locations. He stated that he had talked to many citizens of the community who agreed with him that the City should have three fire houses rather than two. He also exhibited a list of hazardous situations which he pointed out existed primarily north of Lodi Avenue. He also stated that he did not wish to hurt any feelings with anything he had said in his letter.

Mr. Harry Tolliver, addressed the Council from the audience and explained that conditions of fire houses had been discussed by prior councils. He recalled that the Main Street fire house had been declared hazardous many years ago and that it had been contemplated at that time to put it on Emerson School grounds if the property could be secured at a reasonable figure.

He stated that he did not believe it would be too far in the future when the third fire house would be required in the City.

Councilman Robinson stated that he believed the Board of Fire Underwriters were vacillating in their recommendations. He felt that the City Council was in a better position to locate the fire house than the Board of Fire Underwriters.

Councilman Katzakian pointed out that it is the Board of Fire Underwriters who rates cities' fire departments, including the locations of the fire houses.

Mayor Hughes pointed out that Councilman Robinson has been the member of the Council most adamant about meeting with the Board of Fire Underwriters and he also pointed out that Councilman Robinson was referring back to periods prior to the Master Plan study or prior to the time when comprehensive studies had been made on the fire house locations.

Councilman Fuller pointed out that he had never said that Emerson School was not a good site, but that he agreed with the Board of Fire Underwriters that a fire house located in the southwest portion of the City was a better location.

Councilman Mitchell stated that at the time he was Mayor Mr. Frank Young of the Board of Fire Underwriters had visited the City and that in the company of the Fire Chief and the City Manager they had toured both areas of the City. At no time did Mr. Young designate a site south of Lodi Avenue for a fire house; however, when they examined Emerson School grounds he stated that it was a good site. Councilman Mitchell pointed out that he attended four meetings with the Board of Fire Underwriters in all, and it was his opinion that Emerson School site was the proper location for a fire house.

The Fire Chief stated that the persons indicated in his letter of June 3rd were not among those present at the meeting, but since it seemed important to designate them, he had referred to Mr. Adams and Mr. Young of the Board of Fire Underwriters.

Councilman Katzakian then called for the question before the Council.

Councilman Robinson then moved, Mitchell second, that the meeting be adjourned. Mayor Hughes received a ruling from the City Attorney that a motion to adjourn is always in order. He then called for the vote of the motion to adjourn. The motion was defeated by the following vote:

AYES: Councilman Mitchell and Robinson

NOES: Councilmen Katzakian, Fuller, and Hughes

ABSENT: Councilmen None

Mayor Hughes then called for the vote on the motion of Councilman Katzakian, Fuller second, that the recommendation of the Board of Fire Underwriters be accepted to locate a fire house within an area bounded by Lodi Avenue, Sacramento Street, Tokay Street and Hutchins Street. The motion carried by the following vote:

AYES: Councilmen - Fuller, Katzakian, and Hughes

NOES: Councilmen - Mitchell and Robinson

ABSENT: Councilmen - None

Fire Chief Polenske thanked the City Council for its decision, stating he felt that the matter had been under discussion for a long period and even if the City Council had located a fire house ten miles out of town, the Fire Department would continue to fight fires and protect the citizens of Lodi.

APPROVE CONTRACT
WITH W.I.D. FOR
STORM WATER
DISCHARGE

City Attorney Mullen then informed the City Council that over a long period of time members of the City staff had been negotiating with the Woodbridge Irrigation District regarding the discharge of the City storm water in the Irrigation District canal. He explained that a contract with the Irrigation District in 1931 gave the City the right in perpetuity to utilize the canal for this purpose. However, there has been some question on the part of the District as to the meaning of the contract as related to the use of pumping in discharging the water into the canal. He pointed out that in the 1931 contract there was a possibility of there being a question regarding the City's liability in the event of damage created by the City's use. This 1931 contract has now been revised after negotiations with the Irrigation District. This contract will clarify and tighten the liability provisions and will also clarify and authorize the City's present pumping facilities. This is to include facilities at the pump site which is presently approved by the Irrigation District, although the actual installation has not been made. He stated that during their discussions the Irrigation District made it plain that it wished to cooperate with the City in every way possible. On the motion of Councilman Robinson, Fuller second, the Council approved the contract and authorized its execution by the Mayor and City Clerk. Councilman Robinson stated that he believed the City Attorney should be commended for his part in the negotiations. Mayor Hughes complimented Councilman Robinson, who had taken part in the negotiations, the City Attorney, and the City Manager for their efforts.

CITY DRAINAGE
SYSTEM STUDY

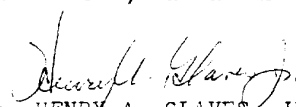
The City Attorney then suggested that it would be of value to the City to give consideration to the hiring of a hydraulic engineer to study the City's drainage system and its plans for the future. He pointed out that this type of study would require a great deal more time and

effort than the City Engineer could afford to give, bearing in mind his responsibility for all other engineering phases of the City's operation. The City Manager stated that he felt the study should be made as part of the City's overall planning function, and he also pointed out that this is a specialized field in which the City Engineer might be at a disadvantage. Councilman Katzakian then moved, Fuller second, that the City Engineer be authorized to investigate the availability of a hydraulic engineer and the cost of such a study and that he be instructed to make a report to the City Council at a future meeting.

BUDGET SESSIONS

Mayor Hughes suggested that a preliminary meeting be set for familiarization with the 1957-58 Budget. He pointed out that Councilman Katzakian would be absent from the City the last two weeks of June and this would give him an opportunity to examine the Budget and ask questions. He also asked that the City Manager prepare a report projecting the income to the Capital Outlay Fund over a period of years. It was agreed that the Council would hold a study conference on Thursday, June 13, 1957 at 3:00 p.m.

The meeting was adjourned at 11:30 p.m. on the motion of Councilman Fuller, Katzakian second.


ATTEST: HENRY A. GLAVES, JR.
City Clerk